

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JUDY ENDERS/MADEN,)	
)	
Plaintiff,)	
v.)	C.A. No. 05-669-JJF
)	
SUPER FRESH,)	
)	
Defendant.)	

**NOTICE OF FILING OF DISCOVERY
PURSUANT TO LOCAL RULE 5.4(f)**

Defendant, by and through its undersigned attorneys, hereby submits this notice of filing of discovery in the above action. Defendant's Rule 26 Initial Disclosure Statement is attached.

In accordance with Local Rule 5.4(f), Defendant has filed the discovery because the plaintiff in this action, Judy Enders/Maden, is appearing pro se. The undersigned attorney certifies that on June 27, 2006 copies of the above documents were caused to be served on plaintiff by U.S. Mail, Return Receipt Requested, at the following address: Judy Enders/Maden, 1 Laurel Avenue, Wilmington, Delaware 19809, a copy of the return receipt is attached.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

William W. Bowser, Esquire (Bar I.D. 2239)

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Admitted Pro Hac Vice

Attorneys for Defendant

DATED: June 30, 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JUDY ENDERS/MADEN,)	
)	
Plaintiff,)	
v.)	C.A. No. 05-669-JJF
)	
SUPER FRESH,)	
)	
Defendant.)	

DEFENDANT'S RULE 26 INITIAL DISCLOSURE STATEMENT

Defendant Superfresh Food Markets, Inc. ("Superfresh" or "Defendant"), by its attorneys, hereby discloses the following items as required by Rule 26(a) of the Federal Rules of Civil Procedure:

These responses are as complete as possible at this stage of Superfresh's investigation into Plaintiff Judy Enders-Maden's ("Plaintiff's") allegations in this action. Defendant reserves the right to supplement these responses if it becomes aware of additional information or documents. Additionally, documents prepared by or for counsel, or other documents subject to the protection of a privilege or the work product doctrine, are not included.

1. **Initial Disclosures**

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

- | | | |
|----|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Judy Enders-Maden: | Ms. Enders-Maden is likely to have information concerning the allegations in the Complaint and Defendant's defenses thereto. |
| 2. | Richard Elliott: | Mr. Elliott is likely to have knowledge pertaining to the Plaintiff's position(s), job duties, and Plaintiff's allegations of harassment and gender discrimination. |

3. John Colantuono: Mr. Colantuono is likely to have knowledge pertaining to Plaintiff's position(s) and job duties, Plaintiff's allegations of harassment and gender discrimination, and the circumstances surrounding the separation of Plaintiff's employment.
4. Derek Kinney: Mr. Kinney is likely to have knowledge pertaining to both Plaintiff's position(s) and job duties, Plaintiff's allegations of harassment and gender discrimination, and the circumstances surrounding the separation of Plaintiff's employment.
5. Diane Martin: Ms. Martin is likely to have knowledge pertaining to Plaintiff's allegations of harassment and gender discrimination.

Each of the above individuals, except Plaintiff, may be contacted through the undersigned counsel of record.

Defendant will provide additional responsive information, if available, upon further investigation and discovery.

(B) A copy of, or a description by category and location of all documents, data compilations, and tangible things in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment will be made available at the offices of Young Conaway Stargett & Taylor, LLP, The Brandywine Building, 1000 West Street 17th Floor, Wilmington, Delaware, or produced within the next 30 days:

1. Plaintiff's Personnel File;
2. Superfresh's Anti-Harassment Policy and Procedure; and
3. The Collective Bargaining Agreement.

(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other

evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

Not applicable.

(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy all or part of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

None.

2. **Disclosure of Expert Testimony**

Defendant has not retained any expert at this time, but reserves the right to do so.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

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Admitted Pro Hac Vice

Attorneys for Defendant

June 30, 2006

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Judy Enders/Maden</i> </p>	
<p>1. Article Addressed to:</p> <p><i>Judy Enders/Maden</i> <i>1 Laurel Avenue</i> <i>Wilmington, DE 19809</i></p>		<p>B. Received by (Printed Name) <i>Judy Enders/Maden</i></p> <p>C. Date of Delivery <i>6/27/06</i></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below:</p>	
		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input checked="" type="checkbox"/> C.O.D. usps</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
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PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAMES C. HILL,

Plaintiff,

V.

SUPER FRESH FOOD MARKETS, INC.,

Defendant,

C.A. No. 05-cv-00452-JJF

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, hereby certify that on June 30, 2006, I electronically filed a true and correct copy of the *Notice of Filing of Discovery Pursuant to Local Rule 5.4(f)* and *Defendant's Rule 26 Initial Disclosure Statement* with the Clerk of the Court using CM/ECF. I further certify that on June 27, 2006, I caused to be served two (2) true and correct copies of the foregoing *Notice of Filing of Discovery Pursuant to Local Rule 5.4(f)* and *Defendant's Rule 26 Initial Disclosure Statement* on the following non-registered participant via postage prepaid, First Class Certified U.S. Mail/Return Receipt Requested:

James C. Hill
3 Mackenzie Drive
Newark, DE 19711-1505

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

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DATED: June 30, 2006